

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

PETE GARCIA, §  
§  
§  
*Plaintiff,* § CIVIL CASE NO. 2:18-cv-95-D  
v. §  
§  
CITY OF AMARILLO, TEXAS, §  
§  
*Defendant.* §

**APPENDIX IN SUPPORT  
OF PLAINTIFF'S MOTION TO COMPEL**

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July 25, 2019.

Respectfully submitted,

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(806) 372-5050  
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/s/ Elizabeth A. Chermel

Elizabeth A. Chermel

*Attorneys for Plaintiff Pete Garcia*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Appendix in Support of Plaintiff's Motion to Compel* has been served July 25, 2019, to the following counsel of record, via the court's ECF electronic filing system:

Bettye Lynn  
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306 West Broadway Avenue  
Fort Worth, Texas 76104

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City Attorney, City of Amarillo  
Leslie Schmidt  
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Senior Assistant City Attorney, City of Amarillo  
P.O. Box 1971  
Amarillo, Texas 79101

*Attorneys for City of Amarillo, Texas*

/s/ Elizabeth A. Chermel

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

PETE GARCIA §  
Plaintiff §  
v. § CIVIL ACTION NO. 2:18-cv-95-D  
§  
CITY OF AMARILLO, TEXAS §  
Defendant §

**CITY OF AMARILLO'S RESPONSES AND OBJECTIONS  
TO PLAINTIFF'S NOTICE OF RULE 30 (b)(6) DEPOSITIONS**

COMES NOW the City of Amarillo and provides its responses and objections to Plaintiff's Notice of FRCP Rule 30(b)(6) Depositions, as follows.

Below are identified the witnesses who are knowledgeable on the matters you provided in Exhibit A of Plaintiff's Notice of Rule 30(b)(6) Deposition to the City of Amarillo.

- 1) Any complaints made against Pete Garcia from May 2017 until the date of his termination from employment with the City of Amarillo Fire Department.

Marcus Lusk – retired  
Jeff Greenlee

- 2) The City's handling of Pete Garcia's workers compensation claim and related medical leave resulting from his May 5, 2017 injury.

**Response:**  
Jim Smith – retired  
Wes Hall

- 3) The City's FMLA policy and related practices and procedures.

**Response:**  
Mitch Normand

- 4) The City's attempts to accommodate Pete Garcia's disability following his return to work after his May 15, 2017 injury.

**Response:**  
Wes Hall  
Jeff Greenlee

- 5) Pete Garcia's work e-mail account ending @amarillo.gov.

**Objection:**

The City objects to this request, as it is unclear and ambiguous. Clarify this request so that the City can properly respond.

- 6) The City's email retention policy.

**Response:**

Rich Gagnon

- 7) The City's discipline policies and procedures.

**Response:**

Mitch Normand

Jeff Greenlee

- 8) The Fire Department's discipline policies and procedures if different from the City's.

**Response:**

Jeff Greenlee

- 9) The information in the packet given to Pete Garcia on November 16, 2017, and the reason Pete Garcia was asked to sign the packet.

**Response:**

Wes Hall

Jeff Greenlee

- 10) The City's requirement that its employees, including fire fighters, check their work e-mail accounts.

**Response:**

None

- 11) The events that transpired on May 15, 2017, during which Pete Garcia was injured when Swires and Ramirez blew a fire engine's horn in close proximity to Pete Garcia.

**Objection:**

The City objects to this request, as it is overly broad as to the meaning of "events that transpired." Clarify this request. Depending upon the clarification of this request below are the individuals who may have knowledge regarding this request.

**Response:**

Nicholas Ramirez – retired

Eric Swires – retired

Joe Ward – retired

Jeff Greenlee

- 12) The events that transpired on November 16, 2017, during which Pete Garcia was participating in training and was asked to sign a packet of paperwork.

**Response:**

Wes Hall  
Marcus Lusk – retired  
Jason Mays  
Chelsea Sparks

- 13) The events that transpired on November 20, 2017, during which Pete Garcia was present at the Station 5 to check his work e-mail account.

**Response:**

Jacob Oehlert  
Jeff Greenlee  
Jason Mays  
Richard Thompson

- 14) Knowledge of Pete Garcia's employment history with the City.

**Objection:**

The City objects to this request, as it is overly broad. Clarify this request so that the City can properly respond.

- 15) Knowledge of Pete Garcia's (a) job responsibilities, (b) duties, (c) goals, (d) expectations, etc.

**Response:**

(a) & (b) – Jeff Greenlee

**Objection:**

(c) & (d) – The City objects to this request, as it is vague and ambiguous. Clarify this request, in particular how any witness other than Plaintiff would have knowledge of Garcia's "goals and expectations, etc."

- 16) The City's decision to terminate Pete Garcia effective December 1, 2017.

**Response:**

Jeff Greenlee

Dated: April 24, 2019

Respectfully submitted,

/s/ Bettye Lynn

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Amarillo, Texas 79101  
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*Attorneys for Defendant City of Amarillo*

**CERTIFICATE OF SERVICE**

I certify that on the 24<sup>th</sup> day of April 2019, a true and correct copy of the foregoing document has been served to the following counsel of record, via email:

Shawn D. Twing  
Mullin, Hoard & Brown, LLP  
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Dallas, Texas 75201  
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*Attorneys for Plaintiff Pete Garcia*

/s/ Bettye Lynn  
Bettye Lynn

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

PETE GARCIA, §  
§  
*Plaintiff,* §  
v. § CIVIL CASE NO. 2:18-cv-95-D  
§  
CITY OF AMARILLO, TEXAS, §  
§  
*Defendant.* §

**NOTICE OF RULE 30(b)(6) DEPOSITION (MITCH NORMAN)**  
**OF THE CITY OF AMARILLO**

TO: Bettye Lynn, Lynn Law, PLLC, 306 West Broadway Avenue, Fort Worth, Texas 77010; blynn@lglawfirm.com.

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff Pete Garcia (“Garcia”) will take the deposition of Mitch Norman, a representative of Defendant City of Amarillo (“the City”) before a certified court reporter beginning at 9:00 am on May 21, 2019, at the offices of the City of Amarillo, 601 S. Buchanan, Room 205, Amarillo, TX 79105. The deposition will continue day to day until completed. The matters for examination in this 30(b)(6) deposition are set forth in Exhibit A attached hereto.

Dated: May 9, 2019

Respectfully submitted,

MULLIN HOARD & BROWN, LLP  
Shawn D. Twing, Texas SBN: 00798008  
stwing@mhma.com  
500 S. Taylor, Suite 800  
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(214) 754-0040  
(214)754-0043 – facsimile

/s/ Shawn D. Twing  
Shawn D. Twing  
*Attorneys for Plaintiff Pete Garcia*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served this 9<sup>th</sup> day of May, 2019, to the following counsel of record, via e-mail:

Bettye Lynn  
LYNN LAW, PLLC  
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City Attorney, City of Amarillo  
Leslie Schmidt  
[leslie.schmidt@amarillo.gov](mailto:leslie.schmidt@amarillo.gov)  
Senior Assistant City Attorney, City of Amarillo  
P.O. Box 1971  
Amarillo, Texas 79101

*Attorneys for City of Amarillo, Texas*

/s/ Shawn D. Twing

**EXHIBIT A**  
**TO NOTICE OF RULE 30(b)(6) DEPOSITION (MITCH NORMAN)**  
**OF THE CITY OF AMARILLO**

Pete Garcia requests the City to produce for oral examination a representative or representatives knowledgeable on the following matters:

1. The City's FMLA policy and related practices and procedures. (Original Notice Topic 3).
2. The City's discipline policies and procedures. (Original Notice Topic 7).
3. Knowledge of Pete Garcia's employment history with the City. (Original Notice Topic 14).

[END]

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

PETE GARCIA, §  
§  
*Plaintiff,* § CIVIL CASE NO. 2:18-cv-95-D  
v. §  
§  
CITY OF AMARILLO, TEXAS, §  
§  
*Defendant.* §

**FIRST AMENDED NOTICE OF DEPOSITION OF JEFF GREENLEE**

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, Plaintiff Pete Garcia (“Garcia”) will take the deposition of **Jeff Greenlee**, before a certified court reporter beginning at 9:00 a.m. on May 23, 2019, at the offices of the City of Amarillo, 601 S. Buchanan, Room 205, Amarillo, TX 79105.

The deposition will continue day to day until completed.

DATED: April 11, 2019.

Respectfully submitted,

MULLIN HOARD & BROWN, LLP  
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/s/ Shawn D. Twing  
Shawn D. Twing  
*Attorneys for Plaintiff Pete Garcia*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served this 9<sup>th</sup> day of May, 2019, to the following counsel of record, via e-mail:

Bettye Lynn  
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Fort Worth, Texas 76104

Bryan McWilliams  
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City Attorney, City of Amarillo  
Leslie Schmidt  
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Senior Assistant City Attorney, City of Amarillo  
P.O. Box 1971  
Amarillo, Texas 79101

*Attorneys for City of Amarillo, Texas*

/s/ Shawn D. Twing

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

PETE GARCIA, §  
§  
*Plaintiff,* § CIVIL CASE NO. 2:18-cv-95-D  
v. §  
§  
CITY OF AMARILLO, TEXAS, §  
§  
*Defendant.* §

**NOTICE OF DEPOSITION OF MITCHELL NORMAND**

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, Plaintiff Pete Garcia (“Garcia”) will take the deposition of **Mitchell Normand**, before a certified court reporter beginning at 1:30 p.m. on June 28, 2019, at the offices of the City of Amarillo, 601 S. Buchanan, Room 205, Amarillo, TX 79105.

The deposition will continue day to day until completed.

June 10, 2019.

Respectfully submitted,

MULLIN HOARD & BROWN, LLP  
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/s/ Shawn D. Twing  
Shawn D. Twing  
*Attorneys for Plaintiff Pete Garcia*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served this 10<sup>th</sup> day of June, 2019, to the following counsel of record, via e-mail:

Bettye Lynn  
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306 West Broadway Avenue  
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P.O. Box 1971  
Amarillo, Texas 79101

*Attorneys for City of Amarillo, Texas*

/s/ Shawn D. Twing

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

PETE GARCIA, §  
§  
*Plaintiff,* § CIVIL CASE NO. 2:18-cv-95-D  
v. §  
§  
CITY OF AMARILLO, TEXAS, §  
§  
*Defendant.* §

**SUPPLEMENTAL NOTICE OF RULE 30(b)(6) DEPOSITION  
OF THE CITY OF AMARILLO**

TO: Bettye Lynn, Lynn Law, PLLC, 306 West Broadway Avenue, Fort Worth, Texas 77010; blynn@lglawfirm.com.

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, Plaintiff Pete Garcia (“Garcia”) will take the deposition of a representative or representatives of Defendant City of Amarillo (“the City”) before a certified court reporter on June 28th, 2019, beginning at 9:30 am at the offices of the City of Amarillo, 601 S. Buchanan, Room 205, Amarillo, TX 79105. The deposition(s) will continue day to day until completed. The supplemental matter for examination in this 30(b)(6) deposition is set forth in Exhibit A attached hereto.

June 7, 2019.

Respectfully submitted,

MULLIN HOARD & BROWN, LLP  
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/s/ Shawn D. Twing  
Shawn D. Twing  
*Attorneys for Plaintiff Pete Garcia*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served this 7<sup>th</sup> day of June, 2019, to the following counsel of record, via email:

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Amarillo, Texas 79101

*Attorneys for City of Amarillo, Texas*

/s/ Shawn D. Twing

**EXHIBIT A**  
**TO SUPPLEMENTAL NOTICE OF RULE 30(b)(6)**  
**DEPOSITION OF THE CITY OF AMARILLO**

Pete Garcia requests the City to produce for oral examination a representative or representatives knowledgeable on the following matter:

Topic 17:

- 1) Knowledge of Eric Swires' employment history with the City and Amarillo Fire Department, such as Swires' performance, including any evaluations and/or reviews, and any disciplinary issues.
- 2) Eric Swires' fraud allegation against Pete Garcia regarding Garcia's workers compensation claim, including any internal complaints and/or reports within the City or Fire Department.
- 3) Any threats Eric Swires made against the City employees, including against Pete Garcia.
- 4) The decision to terminate Eric Swires from employment with the City and Amarillo Fire Department.

[END]

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

<b>PETE GARCIA</b>	§	
<i>Plaintiff</i>	§	
<b>v.</b>	§	<b>CIVIL ACTION NO. 2:18-cv-95-D</b>
	§	
<b>CITY OF AMARILLO, TEXAS</b>	§	
<i>Defendant</i>	§	

**CITY OF AMARILLO'S RESPONSES AND OBJECTIONS  
TO PLAINTIFF'S SUPPLEMENTAL NOTICE OF  
RULE 30 (b)(6) DEPOSITION OF THE CITY OF AMARILLO**

**COMES NOW** the City of Amarillo and provides its responses and objections to Plaintiff's Supplemental Notice of FRCP Rule 30(b)(6) Depositions, as follows.

Below are identified the witnesses who are knowledgeable on the matters you provided in Exhibit A to Plaintiff's Supplemental Notice of Rule 30(b)(6) Deposition of the City of Amarillo.

Topic 17:

- 1) Knowledge of Eric Swires' employment history with the City and Amarillo Fire Department, such as Swires' performance, including any evaluations and/or reviews, and any disciplinary issues.

**Response:**

Jeff Greenlee

Rick Blandford (retired)

- 2) Eric Swires' fraud allegation against Pete Garcia regarding Garcia's workers compensation claim, including any internal complaints and/or reports within the City or Fire Department.

**Response:**

Jim Smith – retired; no longer employed with the City of Amarillo

- 3) Any threats Eric Swires made against the City employees, including against Pete Garcia.

**Response:**

None

- 4) The decision to terminate Eric Swires from employment with the City and Amarillo Fire Department.

**Response:**

Jeff Greenlee

Rick Blandford (retired)

Dated: June 19, 2019

Respectfully submitted,

/s/ Bettye Lynn

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Of Counsel  
**LLOYD GOSSELINK ROCHELLE  
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*Attorneys for Defendant City of Amarillo*

**CERTIFICATE OF SERVICE**

I certify that on the 19<sup>th</sup> day of June 2019, a true and correct copy of the foregoing document has been served to the following counsel of record, via email:

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*Attorneys for Plaintiff Pete Garcia*

/s/ Bettye Lynn  
Bettye Lynn

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

<b>PETE GARCIA</b>	§	
<i>Plaintiff</i>	§	
<b>v.</b>	§	<b>CIVIL ACTION NO. 2:18-cv-95-D</b>
	§	
<b>CITY OF AMARILLO, TEXAS</b>	§	
<i>Defendant</i>	§	

**CITY OF AMARILLO'S AMENDED RESPONSES  
TO PLAINTIFF'S SUPPLEMENTAL NOTICE OF  
RULE 30 (b)(6) DEPOSITION OF THE CITY OF AMARILLO**

COMES NOW the City of Amarillo and provides its amended responses to Plaintiff's Supplemental Notice of FRCP Rule 30(b)(6) Depositions, as follows.

Below are identified the witnesses who are knowledgeable on the matters you provided in Exhibit A to Plaintiff's Supplemental Notice of Rule 30(b)(6) Deposition of the City of Amarillo.

Topic 17:

- 1) Knowledge of Eric Swires' employment history with the City and Amarillo Fire Department, such as Swires' performance, including any evaluations and/or reviews, and any disciplinary issues.

**Response:**

Jeff Greenlee

- 2) Eric Swires' fraud allegation against Pete Garcia regarding Garcia's workers compensation claim, including any internal complaints and/or reports within the City or Fire Department.

**Response:**

Jim Smith – retired; no longer employed with the City of Amarillo

- 3) Any threats Eric Swires made against the City employees, including against Pete Garcia.

**Response:**

None

- 4) The decision to terminate Eric Swires from employment with the City and Amarillo Fire Department.

**Response:**

Jeff Greenlee

Dated: June 21, 2019

Respectfully submitted,

/s/ Bettye Lynn

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Of Counsel  
**LLOYD GOSSELINK ROCHELLE  
& TOWNSEND, P.C.**

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*Attorneys for Defendant City of Amarillo*

**CERTIFICATE OF SERVICE**

I certify that on the 21<sup>st</sup> day of June 2019, a true and correct copy of the foregoing document has been served to the following counsel of record, via email:

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*Attorneys for Plaintiff Pete Garcia*

/s/ Bettye Lynn  
Bettye Lynn

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

PETE GARCIA,  
Plaintiff,  
VS. § CIVIL ACTION NO.:  
§ 2:18-cv-95-d

CITY OF AMARILLO, TEXAS,  
Defendant.

\*\*\*\*\*

ORAL DEPOSITION OF

MITCH NORMAND

MAY 21, 2019

\*\*\*\*\*

ORAL DEPOSITION of MITCH NORMAND, produced as a witness at the instance of the Plaintiff, and duly sworn, was taken in the above-styled and numbered cause on the 21st day of May 2019, from 9:16 a.m. to 9:42 a.m., before Lynette Caldwell, CSR in and for the State of Texas, reported by machine shorthand at the offices of City Hall, 601 S. Buchanan Street, Room 203, Amarillo, Texas 79101, pursuant to the Federal Rules of Civil Procedure and/or provisions stated on the record.

Page 2

# 1 APPAREANCES

2 FOR THE PLAINTIFF:

3 Mr. Shawn D. Twing  
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4 500 S. Taylor Street, Suite 800  
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5 Amarillo, Texas 79120-1656  
(806) 372-5050

- and -

8           Ms. Elizabeth Bones  
MULLIN HOARD BROWN, LLP  
2515 McKinney Avenue, Suite 900  
9           Dallas, Texas 75201  
             (214) 754-0040

FOR THE DEFENDANT:

1 Ms. Bettye Lynn  
2 LYNN LAW, PLLC  
3 306 West Broadway Avenue  
Fort Worth, Texas 76104  
(817) 332-8504

## 5 ALSO PRESENT:

6 Ms. Leslie Spear Schmidt - Senior Assistant City  
7 Attorney  
Chief Jeff Greenlee - Fire Chief

\_8

- 9

20

21

22

23

24

25

Page 7

1 month?

2 A. It was in August.

3 Q. It was in August?

4 A. It was in August.

5 Q. Okay. And to the best of your recollection,

6 what do you recall from that meeting with Mr. Garcia?

7 A. I recall Mr. Garcia inquiring about a  
8 workers' comp claim.

9 Q. Okay.

10 A. And I believe he asked about -- or he -- he  
11 brought up grievances that he had filed with the fire  
12 department.

13 Q. Okay. And do you recall how that meeting  
14 progressed? Were you able to help him with his  
15 questions?

16 A. I took in his concerns and then I had to look  
17 into --

18 Q. Okay.

19 A. -- told him I would look into them.

20 Q. Okay. Concerns regarding both the workers'  
21 comp claim and the grievances?

22 A. Yes.

23 Q. Okay. Let's hold off on that for just a  
24 minute, and we'll ask you about it. Are you familiar  
25 with the personnel policies of the City?

Page 14

1 A. Grievances escalate up the chain of command.

2 Q. Okay.

3 A. And if they are escalated beyond the Chief to  
4 the City Manager, then they go through my office to  
5 the City Manager.

6 Q. Okay. Did -- Yeah. Did either one or two  
7 grievances, I'm not sure of the number --

8 A. Uh-huh.

9 Q. -- did any of the grievances that Pete  
10 referred -- talked to you about make it to the Mayor's  
11 office?

12 MS. LYNN: Objection, form.

13 A. You mean manager's office?

14 Q. (BY MR. TWING) I'm sorry, manager's office.

15 A. No, sir. Not -- not to my knowledge.

16 Q. Okay. So is it fair to say after this one  
17 conversation -- is that all the conversations you had  
18 with Pete about his grievances?

19 A. No, we had a secondary conversation.

20 Q. When did that -- when did that conversation  
21 occur?

22 A. I don't recall, but I believe it was in  
23 August as well.

24 Q. Okay. Was it close in time to --

25 A. Yes, it wasn't a long lapse in time. I don't

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1 -- I don't remember though for sure.

2 Q. Okay. What was the basis of -- of that  
3 meeting? Or subject, I'm sorry. What was the subject  
4 of that meeting?

5 A. It was a followup --

6 Q. Okay.

7 A. -- to our first meeting.

8 Q. Okay. And did you do any followup after the  
9 first meeting regarding Pete's grievances?

10 A. As in what -- what do you -- what do you mean  
11 specifically?

12 Q. I mean did you do anything in response to  
13 Pete's comments to you regarding his grievances?

14 A. Yes.

15 Q. Okay.

16 A. I spoke with the -- the department --

17 Q. Okay.

18 A. -- about what Pete had come to my office --

19 Q. Who -- who in the -- who within the  
20 department did you talk to?

21 A. I believe I spoke with -- with Marc Lusk.

22 Q. Marc Lusk, okay.

23 A. And --

24 Q. Do you recall --

25 A. -- Jason Mays. I don't recall for sure --

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1 Q. Okay.

2 A. -- who I spoke with initially, but I -- I  
3 believe I spoke with the two of them at some point.

4 Q. Okay. And is Mr. Lusk still employed by the  
5 City?

6 A. No, sir.

7 Q. Okay. And what about Mr. Mays?

8 A. Yes, sir.

9 Q. Okay. And what can you recall about those  
10 conversations?

11 A. They filled me in on what had occurred,  
12 similar to what Pete had did. Told me what -- what  
13 events had transpired and, if I -- if I recall, they  
14 told me during that time frame that they had attempted  
15 to contact Pete -- or someone in the fire department,  
16 I don't know exactly who -- but contact was made with  
17 Pete Garcia about his grievances.

18 Q. Okay.

19 A. But he was having difficulty responding.

20 Q. Okay. Do you know if Mr. Garcia was in town  
21 during this period of time?

22 A. I don't know.

23 Q. Okay. Do you -- do you have any knowledge as  
24 to where he might -- he was receiving treatment for  
25 his injury?

1                           CHANGES AND SIGNATURE

2 WITNESS NAME: MITCH NORMAND

3 DATE OF DEPOSITION: 5/21/19

4       PAGE        LINE        CHANGE        REASON FOR CHANGE

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1 I, MITCH NORMAND, have read the foregoing  
2 deposition and hereby affix my signature that same is  
3 true and correct, except as noted above.

4  
5 *Mitchell Normand*  
6 MITCH NORMAND

7 THE STATE OF Texas )  
8 COUNTY OF Potter )

9  
10 Before me, Mitchell Normand, on this day  
11 personally appeared MITCH NORMAND, known to me (or  
12 proved to me under oath or through  
13 \_\_\_\_\_) to be the person whose name is  
14 subscribed to the foregoing instrument and  
15 acknowledged to me that they executed the same for the  
16 purposes and consideration therein expressed.

17 Given under my hand and seal of office this  
18 18<sup>th</sup> day of June, 2019.



NOTARY PUBLIC IN AND FOR THE  
STATE OF Texas